

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	
v.	:	CRIMINAL NO. 12-183 (JRS)
KAI KPAAN	:	

ORDER

AND NOW this day of , 2012, upon motion of the United States requesting that the indictment in the above-captioned case be dismissed, and with no objection thereto, it is hereby

ORDERED

that the indictment in the above-captioned matter is dismissed without prejudice.

BY THE COURT:

HONORABLE JUAN R. SANCHEZ
United States District Judge
Eastern District of Pennsylvania

UNITED STATES OF AMERICA :
 :
 v. : **CRIMINAL NO. 12-183 (JRS)**
 :
 KAI KPAAN :

The United States of America, by Zane David Memeger, United States Attorney for the Eastern District of Pennsylvania, and Jose R. Arteaga, Assistant United States Attorney for the district, submits this motion to dismiss the indictment in the above-captioned.

2. Following defendant's initial appearance on May 24, 2012, the government learned from Immigration and Custom Enforcement authorities that defendant Kai Kpaan, a native and citizen of Liberia, was a juvenile at the time of the offense conduct.

3. Defendant Kai Kpaan has been certified as an adult by the Philadelphia Court of Common Pleas and is presently being prosecuted for the same offense conduct by the Philadelphia District Attorney's Office in *Commonwealth v. Kai Kpaan* under Docket No. CP-51-CR-0014452-2011. Defendant Kpaan's next court date in the Court of Common Pleas is scheduled for July 17, 2012.

WHEREFORE, the government respectfully requests that the indictment in

Criminal No. 12-183 be dismissed without prejudice as to defendant Kai Kpaan.

Respectfully submitted,



ZANE DAVID MEMEGER
United States Attorney



JOSE R. ARTEAGA
Assistant United States Attorney

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing government's motion to dismiss the indictment will be served by United States mail, first class postage prepaid, on:

CATHERINE C. HENRY, ESQUIRE

Defender Association of Philadelphia
Federal Court Division
The Curtis Center Building
601 Walnut Street
Suite 540 West
Independence Square West
Philadelphia, PA 19106



JOSE R. ARTEAGA
Assistant United States Attorney

Dated: